



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF AIR POLLUTION CONTROL
9TH FLOOR, L & C ANNEX
401 CHURCH STREET
NASHVILLE, TN 37243-1531

CERTIFIED MAIL 7007 2680 0000 5240 2940
RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

July 6, 2010

Mr. Steven Helms
Helms Slaughtering Company
540 Highway 61 West
Maynardville, TN 37807

Re: 87-0049-01
63794

Dear Mr. Helms:

The Division has reviewed your construction permit application dated June 20, 2010, for construction of an incinerator for slaughterhouse waste. Since you did not apply for a construction permit prior to commencing construction of this source on or about November 25, 2008, you are in violation of Rule 1200-03-09-.01, which requires construction permit applications to be submitted not less than ninety (90) days prior to the estimated starting date of construction. Since you operated this source on or about February 25, 2009, without a valid operating permit, you are in violation of Rule 1200-03-09-.02(2) of the Regulations. This matter is being referred to the Division's Enforcement Program for any additional enforcement action that is necessary.

You are being presented with an opportunity to show cause why additional enforcement action should not be taken. The noncompliance described in this Notice of Violation will be evaluated to determine if additional enforcement action is necessary. If you have any information that proves the allegation of noncompliance is unwarranted, or if you have information that documents mitigating circumstances relative to the noncompliance, you may submit that information in writing to the Technical Secretary, 9th Floor L & C Annex, 401 Church Street, Nashville, Tennessee 37243-1531. Your written response must be submitted within 20 days of the receipt of this Notice of Violation.

The Division will acknowledge your additional information prior to finalizing any enforcement action. If the Division determines that a civil penalty, damages assessment or corrective action schedule is needed, a Technical Secretary's Order will be issued. Technical inquiries surrounding this allegation of noncompliance should be directed to Olga Jacobsen at (615) 532-0581 and questions concerning the enforcement process should be directed to Tammy Gambill at (615) 532-0531.

The Division will continue to process your construction permit application.

Sincerely,

John A. Trimmer, Chief
East Tennessee Permit Program

JAT/ODJ APC-44S

cc: Knoxville Environmental Field Office

Green File

87-0049-01-S2 ODJ